

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**January 11, 2011**

RECORD OF PROCEEDINGS

The Regular Session of the Town Council held Tuesday, January 11, 2011 was called to order at 7:04 p.m. with the Pledge of Allegiance and a moment of silence for Melinda Yager, who was allegedly murdered by her estranged husband, Nathan, last Friday. Those present were Mayor Neal Schwieterman; Trustees Brian Ayers, Lucien Pevec, Corinne Ferguson, Blake Kinser, Sid Lewis, and David Weber; Attorney James Briscoe, Scott Leon and Town Clerk Barbara Peterson.

Mayor Schwieterman determined a quorum was present and proceeded with the meeting.

**Approval of Agenda**

Trustee Weber moved to approve the agenda as presented. Trustee Kinser seconded and the motion passed unanimously.

**Announcements**

- None

**Visitors**

None

**Unfinished Business**

None

**New Business**

**Resolution 2011-01 – Set Posting Place**

Mayor Schwieterman read Resolution 2011-01 for visitor benefit designating Town Hall as the official posting place. Trustee Weber moved to accept Resolution 2011-01 as presented. Trustee Ferguson seconded and the motion passed unanimously.

**Christmas Lights Judging – Results**

Results from the Christmas lights judging are as follows: First Place – Dave Anderson of 37 Box Elder Court; Second Place – Charlotte Emmons of 820 Third Street; Third Place – David Dobbs of 1007 Third Street; Honorable Mention – Rick Beers of 49 Box Elder Court and Kid’s Choice – Scott Kellogg of 218 Minnesota Avenue.

**Louie’s Pizza – Liquor License Renewal**

Chief Leon reported no problems. Louie’s is requesting a renewal of a Malt and Vinous Liquor license located at 202 Grand Avenue. Trustee Pevec moved to approve the liquor license renewal as presented. Trustee Ayers seconded and the motion passed unanimously.

**Mountain Harvest Festival (MHF) - Update**

Linda Smith, Secretary for the MHF Board, thanked Council for their support in making the festival a success. Detailed financial reports were included in Council packets. Sarah Bishop gave a financial report noting both donations and expenses had increased. Bill Bishop gave an economic impact report indicating an approximate \$200,000 impact to Delta County as a result of the festival.

**Samuel Wade Road (Bridge Trade) – Intergovernmental Agreement (IGA)**

Mayor Schwieterman noted corrections that were made as a result of incorrect numbers and therefore, the IGA needs to be re-approved by the Town. Delta County received \$860,000.00 from the State and will forward \$800,000.00 to the Town with the stipulation that the funds are to be used solely for transportation purposes. Delta County will keep \$60,000.00 for bridge maintenance on the old Highway 187. Providing Council approves the IGA, the annexation ordinance of Samuel Wade Road will be presented at the next meeting. Trustee Pevec will do a fiscal analysis of spending the funds versus saving the funds and using only the interest. After discussion, Trustee Lewis moved to approve the Intergovernmental Agreement between the Town of Paonia and Delta County whereby the Town of

Samuel Wade Road (Bridge Trade) – Intergovernmental Agreement (IGA) continued:

Paonia shall take over the County's right in Samuel Wade Road and that the County shall pay a portion of the funds received from the State to the Town to cover future maintenance with respect to the County road which would now be a Town road. Trustee Weber seconded. Discussion noted the Delta County Board of County Commissioners (BOCC) will address this issue at the meeting scheduled for January 24, 2011. Motion was brought to a vote and passed unanimously.

Highway 133 Corridor Master Plan – Intergovernmental Agreement (IGA)

Mayor Schwieterman noted this IGA went to the BOCC, and read the portion of the agreement that was modified to incorporate a specific time frame for the Town to respond to an application. Trustee Pevec moved to re-approve the Highway 133 Corridor Master Plan as amended. Trustee Ferguson seconded. Discussion regarding the County's cooperation in administering, and possible complications of having the process voluntary, ensued. Motion was brought to a vote and passed unanimously.

**Additional Business**

Mayor's Report: Mayor Schwieterman reported Bresnan Communications is swapping out channels. Fore Alliance has received a grant through painted Sky get funding for small businesses to address high lighting costs. The Colorado Historical Review Board shall be reviewing the First Christian Church located at 235 Box Elder Avenue for admission to the National Register of Historic Places and Colorado State Historic Properties on February 2, 2011. Trustee Pevec moved to have the Town write a letter in support of the review. Trustee Ferguson seconded and the motion passed unanimously. The State Joint Budget Committee is proposing to fund the sanitation and drinking water portions of the State Health Department via permit revenues rather than the General Fund. The Colorado State Park system is considering Paonia State Park for closure. Governor Hickenlooper is hosting a regional economic development meeting on Friday, January 14, 2011 in Fruita. The Town Building Official is on long-term sick leave, and therefore hired interim Building Official Tim Hinz of Orchard City.. Mayor Schwieterman thanked Trustee Pevec for filling the position for several weeks.

Public Works: Scott Leon reported the concrete is poured for the One-Million Gallon treatment plant and the project should be completed by the end of March. Mayor Schwieterman read a commendation letter from Mike Jackson regarding snow removal.

Police Report: Chief Leon reported that on January 7, 2011 in the 400 block of Delta Avenue, Melinda Yager was discovered murdered. The Colorado Bureau of Investigation (CBI) has been brought in for investigating purposes. The suspect is in the Delta County jail and charged with first degree murder and domestic assault. Chief Leon thanked Mayor Schwieterman for helping out with the phones and press statements.

Finance Committee Report: Trustee Pevec had nothing to report.

Parks Committee Report: Trustee Pevec had nothing to report.

Public Safety Committee Report: Trustee Ayers reported the intersection of Second Street and Grand Avenue is very slippery. Scott Leon noted that area is sanded twice a day.

Street Committee Report: Trustee Ferguson reported working on the street lighting plan for the public hearing next meeting.

Water/Sewer Committee Report: Trustee Weber reported meeting with Bone Mesa and an agreement should be before Council soon. The committee will sit down with Clerk Peterson to explore funding opportunities for sewer line expansion in Area A of the Highway 133 Corridor Master Plan. Trustee Weber moved to approve Engineering Change Order #2 in the amount of \$3,698.42. Trustee Lewis seconded and the motion passed unanimously. Trustee Weber moved to approve ECO pay request #3 in the amount of \$41,855.95. Trustee Ferguson seconded and the motion passed unanimously.

Personnel Committee Report: Trustee Kinser reported a new public works employee has been hired.

Minutes:

Corrections noted. Trustee Pevec moved to approve the minutes of December 14, 2010 as amended. Trustee Ferguson seconded and the motion passed with abstentions from Trustees Kinser and Weber.

Disbursements:

Trustee Pevec moved to pay the bills ending January 11, 2011. Trustee Kinser seconded and the motion passed with an abstention from Trustee Pevec due to a possible conflict of interest.

8:20 p.m. Meeting adjourned.

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Mayor, Neal Schwieterman

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Town Clerk, Barbara J. Peterson